

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOHN HARRIS,
Plaintiff,

v.

JOHN POTTER POSTMASTER
GENERAL, UNITED STATES
POSTAL SERVICE,
Defendant.

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CIVIL ACTION NO. H-04-4779

FINAL JUDGMENT

On April 20, 2005, the parties consented to proceed before a United States Magistrate Judge, for all further proceedings, including trial and entry of final judgment, under 28 U.S.C. § 636(c). (Docket Entry # 15). On March 14, 2005, Defendant filed a motion to dismiss the claims against it, under Rule 12(b)(1) of the Federal Rules of Civil Procedure. (Docket Entry # 9). By Memorandum Order this date, the court GRANTED that motion. (Docket Entry #24).

Accordingly, it is ORDERED that Plaintiff take nothing, and that the action be DISMISSED on the merits, with prejudice. Each party to bear its own costs.

This is a FINAL JUDGMENT.

The Clerk shall enter this order and provide a true copy to all counsel of record.

SIGNED at Houston, Texas, this 9th day of September, 2005.

A handwritten signature in black ink, appearing to read 'Mary Milloy', is written over a faint, circular official stamp.

MARY MILLOY
UNITED STATES MAGISTRATE JUDGE